Dispute Settlement Body (DSB) of the WTO to establish a panel to examine the allegation if the consultations fail to settle the dispute within sixty days after the date of receipt of the request for consultations. In accordance with these provisions, on 7 November, 1996 the USA requested the establishment of a panel to examine the dispute. The DSB, at its meeting held on 20 November 1996 considered this request and decided to establish a panel.

(c) and (d). As a signatory to the Agreement Establishing the WTO of which the TRIPs Agreement is an integral part. India has to fulfill all obligations that emanate from its membership of the WTO. Government of India is in the process of holding consultations in order to work out appropriate measures with regard to the amendment of the Indian Patents Act 1970.

Foreign Investment

4371. SHRI PARASRAM BHARDWAJ : Will the Minister to INDUSTRY be pleased to state :

(a) whether the Government has further liberalised the provisions relating to automatic approval of foreign investment.

(b) whether the earlier policy specially banned import of second hand machinery and stated that the plant and machinery should be new and not second hand;

(c) whether the concerned administrative Ministries are not in favour of the inclusion of more industries in the annexure III of the industrial policy of 1991; and

(d) if so, the details regarding the plan of the Government in this regard?

THE MINISTER OF INDUSTRY (SHRI MURASOLI MARAN) : (a) Yes, Sir. Recently, the foreign investment parameters have been further liberalised to facilitate better and increased flow of foreign technology and equity and provide greater attraction to prospective investors. It will no longer be necessary for automatic approvals by RBI that the amount of foreign equity should cover the foreign exchange requirements for import of capital goods needed for the project. The import of capital goods for the project would be, however, subject to the EXIM Policy. The existing ceiling of Rs. 1 crore by way of payment of lumpsum fee for automatic approval has been raised to US $ 2 million.

(b) Under the existing Policy, the plant and machinery proposed to be imported under the automatic approval scheme, should be new and not second hand.

(c) and (d). The Foreign Investment Policy as enumerated is constantly reveiwed to make it more dynamic and investor-friendly with the objective of increasing foreign direct investment into the country particularly in priority/core sectors, including infrastructure. The views of concerned Ministries is taken into consideration while undertaking such review and while framing policy.

Reservation for Women in Panchayats and Municipalities

4372. SHRI RAMESHWAR PATIDAR : Will the Minister of LAW AND JUSTICE be pleased to state :

(a) the names of such States which have not passed necessary legislation to incorporate provisions of the Constitution (Seventy-third Amendment) Act, 1993 and the Constitution (Seventy-forth Amendment) Act, 1993, which provide reservation of 33% seats for women in Panchayats and Municipalities respectively; and

(b) the steps taken by the Union Government in this regard?

THE MINISTER OF STATE OF THE DEPARTMENT OF LEGAL AFFAIRS, LEGISLATIVE DEPARTMENT AND DEPARTMENT OF JUSTICE (SHRI RAMAKANT D KHALAP) : (a) All the States where the provisions of Constitution (Seventy-third Amendment) Act, 1993 and the Constitution (Seventy-fourth Amendment) Act, 1993 are applicable have passed necessary legislations in accordance with the Constitutional provisions on Panchayats and Municipalities.

(b) Does not arise.

[Translation]

Price of Coal

4373. SHRI SUSHIL CHANDRA : Will the Minister of COAL be pleased to state :

(a) the average number of layers (Seem) of coal found in the coal mines of Coal India Ltd;

(b) the details of mines in which various varities of coal is found in various layers (Seem);

(c) the criteria adopted to fix the prices of coal of various qualities obtained from different layers (Seem) and

(d) the steps taken to ensure that fixation of price of coal is done on rational basis?

THE MINISTER OF STATE OF THE MINISTRY OF COAL (SHRIMATI KANTI SINGH) : (a) and (b). Details of seems being worked mine-wise in Coal India Limited (CIL) with their declared grades are too voluminous to be incorporated in reply. These details are contained in Coal Directory of India 1995-96. Copy of the said Directory has been made available to the Library of the Parliament.

(c) and (d). The criteria adopted for fixation of coal prices is as under :

(i) In respect of non-coking coal, the prices are based on various grades from A to G depending on Useful Heat Value.